

EJK:MPC

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

11 795 M

- - - - -X

UNITED STATES OF AMERICA

- against -

C O M P L A I N T  
(21 U.S.C. §§ 952(a)  
and 960)

EMMANUEL AUGUSTINE POMMIER,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

DEREK BERGMAN, being duly sworn, deposes and states that he is a Special Agent with Homeland Security Investigations("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about July 27, 2011, within the Eastern District of New York and elsewhere, defendant EMMANUEL AUGUSTINE POMMIER did knowingly, intentionally and unlawfully import to the United States from a place outside thereof heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:<sup>1/</sup>

---

<sup>1/</sup> Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant

1. On July 27, 2011, the defendant (the "defendant") EMMANUEL AUGUSTINE POMMIER, arrived at John F. Kennedy International Airport in Queens, New York ("JFK") aboard British Airways Flight 113 from London, England.

2. The defendant was selected for a routine examination. During an examination, a Customs and Border Protection Officer noticed that the defendant appeared visibly nervous and was sweating. When asked what he was doing while in the United States, he stated he was in New York on business. When asked where he was planning on staying in New York the defendant stated he did not have a reservation. A review of the defendant's travel history indicated that he had numerous trips to the United States all with different points of entry.


3. The defendant was then presented with an x-ray consent form, which he read, appeared to understand, and refused to sign.

4. The defendant was transported to the medical facility at JFK, where officers monitored the defendant's bowel movements. Commencing on or about July 30, 2011, the defendant EMMANUEL AUGUSTINE POMMIER passed a total of 60 pellets with a gross weight of 1458.6 grams of heroin.

---

facts and circumstances of which I am aware.

WHEREFORE, your deponent respectfully requests that the defendant, EMMANUEL AUGUSTINE POMMIER, be dealt with according to law.

  
\_\_\_\_\_  
Derek Bergman  
Special Agent  
U.S. Department of Homeland Security  
Homeland Security Investigations

Sworn to before me this  
1st day of August, 2011

\_\_\_\_\_  
Hon  
Un:  
Eas

\_\_\_\_\_  
ain  
ce Judge  
v York